

October 24, 2002

Re: Medical Dispute Resolution
MDR #: M2.02.0974.01
IRO Certificate No.: IRO 5055

Dear

In accordance with the requirement for TWCC to randomly assign cases to IROs. TWCC assigned your case to ____ for an independent review. ____ has performed an independent review of the medical records to determine medical necessity. In performing this review, ____ reviewed relevant medical records, any documents provided by the parties referenced above, and any documentation and written information submitted in support of the dispute.

The independent review was performed by a matched peer with the treating health care provider. Your case was reviewed by a physician who is Board Certified in Orthopedic Surgery.

Clinical History:

This 47-year-old female sustained a back injury on ____, when she twisted her body. She has been under the care of a neurosurgeon, as well as other doctors. She continues to have incapacitating pain despite conservative treatment, including physical therapy, anti-inflammatories, analgesics, other routine medications for chronic low back pain and at least one epidural steroid block.

Disputed Services:

Lumbar myelogram with CAT scan.

Decision:

The reviewer agrees with the determination of the insurance carrier. The reviewer is of the opinion that the above-named procedure is not medically necessary in this case.

Rationale for Decision:

The medical record contains conflicting interpretations of MRIs. The examining doctor states that on 03/05/01 the patient had an MRI which showed mild desiccation of all five lumbar discs and a broad-based protrusion on the left side extending laterally, compromising the neuroforamen. She previously had an MRI on 03/17/00 that the doctor reports as normal. However, he also states there was not much change on 03/05/01 from the 03/17/00 MRI.

The electromyogram was within normal limits. The physical examination shows no consistent focal neurologic deficit. The patient is almost two years out from her injury. The reviewer is of the opinion that the chance that any surgical procedure would help her at this point is remote. The reviewer also noted that if the patient were to lose weight it might help the problem.

I am the Secretary and General Counsel of ____ and I certify that the reviewing physician in this case has certified to our organization that there are no known conflicts of interest that exist between him and any of the treating physicians or other health care providers or any of the physicians or other health care providers who reviewed this case for determination prior to referral to the Independent Review Organization.

We are simultaneously forwarding copies of this report to the payor and the Texas Workers' Compensation Commission. This decision by ____ is deemed to be a Commission decision and order.

YOUR RIGHT TO REQUEST A HEARING

Either party to this medical dispute may disagree with all or part of this decision and has a right to request a hearing.

If disputing a spinal surgery prospective decision a request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings within ten (10) days of your receipt of this decision (28 Tex. Admin. Code 142.5©).

If disputing other prospective medical necessity (preauthorization) decisions a request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings within twenty (20) days of your receipt of this decision (28 Tex. Admin. Code 148.3).

This Decision is deemed received by you five (5) days after it was mailed (28 Tex. Admin. Code 102.4(h) or 102.5 (d)). A request for a hearing should be sent to:

Chief Clerk of Proceedings
Texas Workers' Compensation Commission
P.O. Box 40669
Austin, TX 78704-0012

A copy of this decision should be attached to the request. The party appealing the decision shall deliver a copy of its written request for a hearing to all other parties involved in the dispute.

I hereby verify that a copy of this Independent Review Organization (IRO) Decision was sent to the carrier, the requestor and claimant via facsimile or U.S. Postal Service from the office of the IRO on October 24, 2002.

Sincerely,